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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA — WESTERN DIVISION  
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11 ERIC FREEMAN,

12 Plaintiff,

13 vs.

14 CALIFORNIA DEPARTMENT  
15 OF CORRECTION DIRECTOR  
OF CORRECTIONS, et al.

16 Defendants.  
17

Case No. CV 08-3026-AHS (JWJ)

**ORDER TO SHOW CAUSE  
REGARDING DISMISSAL**

18 The records of this Court indicate that this action is not being diligently  
19 prosecuted by plaintiff in that plaintiff has not filed a First Amended  
20 Complaint.  
21

22 **IT IS HEREBY ORDERED** that plaintiff show cause within **ten (10)**  
23 **days** of the date of this Order why this case should not be dismissed for failure  
24 to diligently prosecute, Fed.R.Civ.P. 4(m) and 41(b), or within that same time  
25 period, file a First Amended Complaint.

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1 Failure to timely comply with this Order shall result in the Magistrate  
2 Judge recommending the case be dismissed with prejudice pursuant to Federal  
3 Rules of Civil Procedure 41(b).

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5 DATED: September 26, 2008

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7 /s/  
8 JEFFREY W. JOHNSON  
9 United States Magistrate Judge  
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